

REMARKS

Claims 1-10 are pending in this application. By this Amendment, claims 1-4, 6 and 8 are amended. Claims 9 and 10 are added. Both claims 9 and 10 read upon the elected species. Claims 2-5 and 7-8 are withdrawn from consideration. Reconsideration in view of the foregoing amendments and the following remarks is respectfully requested.

I. Restriction Requirement

MPEP 806.04(a) states, "35 U.S.C. 121 provides that restriction may be required to one of two or more independent and distinct inventions. However, 37 CFR 1.141 provides that a reasonable number of species may still be claimed in one application if the other conditions of the rule are met."

37 CFR 1.141(a) states, "(a) Two or more independent and distinct inventions may not be claimed in one national application, except that more than one species of an invention, not to exceed a reasonable number, may be specifically claimed in different claims in one national application, provided the application also includes an allowable claim generic to all the claimed species and all the claims to species in excess of one are written in dependent form (§ 1.75) or otherwise include all the limitations of the generic claim."

Applicant respectfully submits that the requirements of MPEP 806.04(a) and 37 CFR 1.141(a) are met by the present application. Independent claim 1 is generic to all other claims in the application. Independent claim 3 includes all the limitations of independent claim 1. Further, it is also respectfully submitted that the subject matter of all claims 1-10 is sufficiently related that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and

examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

II. Change of Title

The Office Action objects to the title of the application as not descriptive. Therefore, Applicants have amended the title to be more descriptive.

III. Rejection under 35 U.S.C. §102(b)

Claims 1 and 6 are rejected under 35 U.S.C. §102(b) as unpatentable over U.S. Patent 5,559,374 to Ohta et al. ("Ohta"). This rejection is respectfully traversed.

Independent claims 1 and 3 recite, *inter alia*, "wherein the horizontal portion of said L-shaped terminal piece is electrically conductively connected to the aluminum-based metal plate." Support for this feature may be found throughout the original specification. For example, specific support may be found in the original specification at least at paragraph [0013] and [0053].

Applicants respectfully submit that Ohta does not disclose, teach or suggest such a feature. Specifically, each embodiment described in Ohta includes an insulating layer 2 between the copper plate (e.g., 4A, 5A and 6A) and the metallic substrate 1. (See Figs. 2, 5, 9 and 14, and text at: col. 4, lines 36-37; col. 5, lines 33-36 and 57-60; and col. 7, lines 32-36).

Accordingly, it is respectfully submitted that claim 1 is patentably distinguishable over the applied art. Claims 6 depends from independent claim 1 and is likewise patentably

distinguishable over the applied art for at least its dependence on an allowable base claim, as well as for additional features it recites. Accordingly, withdrawal of this rejection is respectfully requested.

Further, new claims 9-10 depend from independent claim 1 and are likewise patentably distinguishable over the applied art for at least their dependence on an allowable base claim, as well as for the additional features they recite.

IV. Conclusion

For at least these reasons, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 6 and 9-10 are earnestly solicited. Further, reentry and prompt allowance of claims 2-5 and 7-8, as provided under C.F.R. 1.141, are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

J. Adam Neff
Registration No. 41,218

JAO:JMH

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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